

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
RHODE ISLAND STATE PILOTAGE COMMISSION  
C/O COASTAL RESOURCES DIVISION  
301 GREAT ISLAND ROAD  
NARRAGANSETT, RI 02882  
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**MINUTES OF APRIL 7, 2005 MEETING OF THE RHODE ISLAND STATE  
PILOTAGE COMMISSION**

**Members present: Michael Scanlon, Chair  
Capt. E. Howard McVay, Jr.  
Capt. Peter Fritz  
Larry Mouradjian  
Steven Hall**

**Others in attendance: Capt. Ken Warner  
William Hewig, III, Esq.  
Tom Sullivan, Moran Shipping  
Ralph Dexter  
Christine Silva-Adermann, Registered Professional  
Reporter  
Gary Powers, Legal Counsel, Secretary, pro hac vice**

**LOCATION: FOUNDRY BUILDING, 235 Promenade Street,  
Providence, RI.**

**Meeting was called to order @ 9:30a.m.**

## **Preliminary Matters**

**Prior to the arrival of Commissioner McVay, the Chair announced that Gerry Higgins of the Coastal Resources Division would be assisting the Chair and Commissioner Mouradjian in conducting certain administrative responsibilities of the Commission. The Chair further summarized for those in attendance the Commission's determination regarding the issues presented at the January 6, 2005 public hearing, i.e., the Commission had opted to amend the State Pilotage Regulations as follows:**

- to provide for an annual increase in pilotage fees of 4%, 3%, and 3% beginning on June 1, 2005, June 1, 2006, and June 1, 2007 respectively;**
- increase the rate charged vessels for carrying away pilots from the current \$500. per day to \$1,000. per day(unless a mutual agreement is reached by the pilot and the master of the vessel); and**
- to reduce the pilotage fee by 25% for those cruise ships bound for Goat Island anchorage.**

**The Proposed Minutes of the Commission's March 3, 2005 meeting were approved unanimously upon the arrival of Commissioner McVay.**

## **Old Business**

**The Chair then reiterated that the process of rate setting should be an ongoing one. With the goal to gather information about the rate structure established in competing ports in order that this information may be passed along to individuals, e.g., accountants, so that the commission may employ their expertise in the establishment of reasonable rates.**

**Commissioner Mouradjian also suggested that the possibility of state/municipal fee conflict might be explored, particularly as it involved potential conflicts with Newport's efforts to collect city fees for vessels landing in that City. (It was noted that this fee is currently \$4.00 per passenger.)**

**The possible increase in the use of the Port of Davisville was discussed by the Commission. This topic included both the expansion of the amount of cargo which might be received by the Port (particularly cars) as well as the possible use of the Port as the site at which cruise ships might land as an alternative to Newport. Commissioner McVay observed that day trips might be scheduled to both Foxwood or to Providence from Davisville to make it more attractive. The potential use of Providence as the site at which cruise ships might land as an alternative to Newport was also discussed by the Commission. Commissioner McVay opined that the**

**Providence & Worcester RR Site was probably the most appropriate landing site for cruise ships in Providence.**

## **New Business**

**The Chair stated that there was only one item on the agenda under new business but that if anyone in attendance had any matters that they wish to present to the Commission, they were welcome to do so at this time. No one responded.**

**Hearing none, the Chair then suggested that the Chair would entertain a motion to close the meeting and go into executive session for the Commission to question Captain Warner concerning his job performance relative to an incident occurring on February 10, 2005 concerning the vessel MANTENHA (Captain Warner and his legal counsel, attorney Hewig, having been advised of his right to require that the inquiry continue in an open meeting and having opted not to request that the session be in open meeting ). The Commission then unanimously voted to close the meeting to all with the exception of Captain Warner, his legal counsel attorney Hewig, the Commission members, Registered Professional Reporter Silva-Adermann, and legal counsel to the Commission attorney Powers in order to inquire of Captain Warner concerning his job performance relative to an incident occurring on February 10, 2005 concerning the vessel MANTENHA.**

**The Chair announced that the next meeting of the Commission would**

**be held starting at 9:30 a.m. on May 5, 2005 in the same location; the Chair then recessed the meeting so that the Commission could reconvene in executive session for the purpose noted above.**